

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Randy Raines,

Petitioner,

v.

State of Minnesota,

Respondent.

ORDER

Civil No. 07-1622 ADM/RLE

Randy Raines, *pro se*.

On March 28, 2007, Magistrate Judge Raymond L. Erickson issued a Report and Recommendation (“R&R”) [Docket No. 3] recommending that Petitioner Randy Raines’s (“Petitioner”) Petition for Writ of Habeas Corpus [Docket No. 1] be denied. In his R&R, Judge Erickson expressly notified the parties that “any party may object to this Report and Recommendation by filing with the Clerk of Court, and by serving upon all parties by no later than **April 13, 2007**, a writing” R&R at 9 (emphasis in original). On April 13, 2007, Petitioner had notarized and placed in the mail a Motion for 30 Day Extension [Docket No. 4], which was received by and filed with the Court on April 16, 2007. The document Petitioner filed with the Court does not raise any specific objections to Judge Erickson’s R&R, but rather asks for an extension of time to file objections. Petitioner asserts only that he “need[s] more time” and needs “time to retrieve all the transcripts.” Motion at 1.

Petitioner’s Motion is untimely. Petitioner is not incarcerated, and Petitioner sets forth no compelling reasons for his delay in filing his Extension Motion with the Court, or his need for additional time. Accordingly, Petitioner’s Motion is denied.

Based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that;

1. Petitioner's Motion for 30 Day Extension [Docket No. 4] is **DENIED**;
2. Judge Erickson's R&R [Docket No. 3] is **ADOPTED**;
3. Petitioner's Writ of Habeas Corpus [Docket No. 1] is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: April 18, 2007.